

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
APRIL 3, 2018
9:00 A.M.**

Proceedings of a regular meeting of the Board of County Commissioners (BCC) of St. Johns County, Florida, held in the auditorium at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida.

Present: Henry Dean, District 5, Chair
Paul M. Waldron, District 3, Vice Chair
James K. Johns, District 1, Chair
Jeb S. Smith, District 2
Jay Morris, District 4
Michael Wanchick, County Administrator
Patrick McCormack, County Attorney
Natasha McGee, Deputy Clerk

Also present: Darrell Locklear, Assistant County Administrator; Joy Andrews, Assistant County Administrator; and Paolo Soria, Senior Assistant County Attorney

(04/03/18 - 1 - 9:00 a.m.)
CALL TO ORDER

Dean called the meeting to order.

(04/03/18 - 1 - 9:00 a.m.)
ROLL CALL

The clerk called the roll: All Board members were present.

(04/03/18 - 1 - 9:01 a.m.)
INVOCATION

Reverend Ken Wilcox, Center for Spiritual Living, gave the invocation.

(04/03/18 - 1 - 9:07 a.m.)
PLEDGE OF ALLEGIANCE

Morris led the Pledge of Allegiance.

(04/03/18 - 1 - 9:02 a.m.)
PROCLAMATION RECOGNIZING APRIL 2018 AS CHILD ABUSE PREVENTION MONTH

Smith requested Shawna Novak, Director of Health and Human Services (HHS), Pattie Medlock, Department of Children and Family Services (DCF), and representatives from HHS and DCF to join him at the podium. Melissa Lundquist, Assistant to the Board of County Commissioners, read the proclamation for the record. Novak spoke on the importance of preventing child abuse and the role HHS and DCF played in the community.

(04/03/18 - 2 - 9:08 a.m.)

PROCLAMATION RECOGNIZING APRIL 2018 AS WATER CONSERVATION MONTH

Waldron requested Bill Young, Director of Utilities, to join him at the podium. Melissa Lundquist, Assistant to the Board of County Commissioners, read the proclamation for the record. Young recognized Barry Stewart, Allen Klipstine, and Dan Nowaczyk from St. Johns County Utilities, and Geoffrey Sample and Deirdre Irwin from the St. Johns River Water Management District; and spoke on the importance of water conservation and the role of St. Johns County Utilities in supporting the initiative.

(04/03/18 - 2 - 9:12 a.m.)

PROCLAMATION RECOGNIZING APRIL 11, 2018, AS NATIONAL BOOKMOBILE DAY

Dean requested Harold George, Extension Services Manager, to join him at the podium. Melissa Lundquist, Assistant to the Board of County Commissioners, read the proclamation for the record. George spoke on the important role bookmobiles played in the community; and presented a video highlighting the bookmobiles, via PowerPoint. He also extended an invitation to the National Library Week Event: The Living Library, at the Crisp Ellert Art Museum, on Saturday, April 12, 2018, at 2:00 p.m., *Exhibit A: flyer*.

(04/03/18 - 2 - 9:18 a.m.)

PROCLAMATION RECOGNIZING APRIL 8-14, 2018, AS NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK

Johns requested Chief Jeff Prevatt, St. Johns County Fire Rescue, and representatives from Fire Rescue, the Sheriff's Office, and the St. Augustine Police Department, to join him at the podium. Melissa Lundquist, Assistant to the Board of County Commissioners, read the proclamation for the record. Prevatt spoke on the important role tele-communicators played in St. Johns County and in assisting residents during emergencies.

(04/03/18 - 2 - 9:23 a.m.)

ACCEPTANCE OF PROCLAMATIONS

Motion by Smith, seconded by Morris, carried 5/0, to accept the proclamations.

(04/03/18 - 2 - 9:24 a.m.)

PUBLIC COMMENT

Ed Slavin, P.O. Box 3084, spoke on creating an ordinance requiring the constitutional officers to post their budgets by May 1; and on the Michelle O'Connell case.

(9:28 a.m.) Lance Williams, 273 Pinehurst Pointe Drive, spoke in opposition to the proposed construction location of Buc-ee's. He gave an overview of a phone conversation with a Corinth, Texas Councilman, and the traffic and safety concerns, via PowerPoint.

(9:31 a.m.) Jeff Darr, Florida Forest Service, 6840 US-1, announced a public hearing for a draft Management Plan (MP) Management Intent, Goals and Objectives, on Wednesday, April 11, 2018, at the St. John's Agricultural Center Wind Mitigation Building.

(9:32 a.m.) Eileen Davis, 710 Copperhead Circle, spoke in opposition to the proposed construction location and development of Buc-ee's.

(9:35 a.m.) Kenneth McClain, 701 East Street, referenced a Memorandum dated February 13, 2018, regarding the allocation and use of funds from the Department of Housing and

Urban Development, in the amount of \$58 million, to the State of Florida. He stated that St. Johns County received \$48 million.

(9:38 a.m.) Ellen Whitmer, 1178 Natures Hammock Road South, referenced an article, publishing paper not provided, and spoke on the cons associated with the potential sale of Jacksonville Electric Authority (JEA). She also spoke in opposition to utility taxation rate increases for St. Johns County Jacksonville Electric Authority (JEA) customers.

(9:42 a.m.) Robert Davis, 710 Copperhead Circle, spoke in opposition to the proposed construction location and development of Buc-ee's.

(9:44 a.m.) Tom Reynolds, 880 A1A Beach Boulevard, spoke in opposition to alcohol sales and consumption at the St. Johns County Ocean and Fishing Pier.

(9:47 a.m.) Kathy Granieri, 233 Pinehurst Pointe Drive, spoke in opposition to the proposed construction location and development of Buc-ee's, due to traffic concerns.

(9:49 a.m.) BJ Kalaidi, 8 Newcomb Street, referenced a photo, *Exhibit A*, and spoke on her 2017 property assessment.

(04/03/18 - 3 - 9:52 a.m.)

DELETIONS TO CONSENT AGENDA

There were none.

(04/03/18 - 3 - 9:52 a.m.)

APPROVAL OF CONSENT AGENDA

Motion by Smith, seconded by Morris, carried 5/0, to approve the Consent Agenda, as submitted.

1. Motion to approve the Cash Requirement Report
2. Motion to adopt **Resolution No. 2018-92**, authorizing the county administrator to enter into an Interlocal Agreement, with the Twin Creeks North Community Development District, for the District to install and maintain signage, landscaping, and concrete improvements in Beachwalk Boulevard, a County right-of-way

RESOLUTION NO. 2018-92

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, CONDITIONS, AND REQUIREMENTS OF AN INTERLOCAL AGREEMENT BETWEEN ST. JOHNS COUNTY AND THE TWIN CREEKS NORTH COMMUNITY DEVELOPMENT DISTRICT FOR CONSTRUCTION AND MAINTENANCE, BY THE DISTRICT, OF SIGNS, LANDSCAPING, AND CONCRETE IMPROVEMENTS ON BEACHWALK BOULEVARD, A COUNTY ROAD RIGHT-OF-WAY; AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE INTERLOCAL AGREEMENT ON BEHALF OF THE COUNTY; INSTRUCTING THE CLERK OF THE CIRCUIT COURT TO FILE THE INTERLOCAL AGREEMENT IN THE PUBLIC RECORDS OF ST. JOHNS COUNTY

3. Motion to adopt **Resolution No. 2018-93**, approving the final plat for Riverwood by Del Webb, Phase 3D, Unit 2

RESOLUTION NO. 2018-93

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR RIVERWOOD BY DEL WEBB PHASE 3D, UNIT 2

4. Motion to adopt **Resolution No. 2018-94**, approving the final plat for Rivertown-Whistling Straits Drive-Phase 1

RESOLUTION NO. 2018-94

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR RIVERTOWN-WHISTLING STRAITS DRIVE-PHASE 1

5. Motion to adopt **Resolution No. 2018-95**, approving the final plat for Rivertown-Parcel 12-Garden District South

RESOLUTION NO. 2018-95

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR RIVERTOWN-PARCEL 12-GARDEN DISTRICT SOUTH

6. Motion to adopt **Resolution No. 2018-96**, approving the final plat for PLAT 2017-29, Sawmill Landing PUD

RESOLUTION NO. 2018-96

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR SAWMILL LANDING PUD

7. Motion to adopt **Resolution No. 2018-97**, authorizing the county administrator, or his designee, to award RFP No. 18-26, SJC Arts and Cultural Center Market Analysis and Feasibility Study, to enter into negotiations, and upon successful negotiations, execute a contract in substantially same form and format as attached hereto, with C. H. Johnson Consulting, Inc., for the provision of a comprehensive feasibility study, including a market analysis and economic impact assessment; and to propose three alternatives for the design and location of a multi-use facility for St. Johns County, as provided in RFP No. 18-26

RESOLUTION NO. 2018-97

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD RFP NO. 18-26 AND TO EXECUTE AGREEMENTS FOR ST. JOHNS COUNTY ARTS AND CULTURAL CENTER MARKET ANALYSIS AND FEASIBILITY STUDY

8. Motion to adopt **Resolution No. 2018-98**, authorizing the county administrator, or his designee, to award RFP No. 18-33, Veterinarian Services, to Atlantic Veterinary Hospital, to enter into negotiations, and upon successful negotiations, execute a contract in substantially same form and format as attached hereto, for professional veterinarian services at the St. Johns County Pet Center, as provided in RFP No. 18-33

RESOLUTION NO. 2018-98

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD RFP NO. 18-33 AND TO EXECUTE AN AGREEMENT FOR VETERINARIAN SERVICES

9. Motion to adopt **Resolution No. 2018-99**, authorizing the county administrator, or his designee, to purchase one, new, 2019 semi-tractor truck from North Florida Western Star, in accordance with Bid No.18-47, in the amount of \$141,767

RESOLUTION NO. 2018-99

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO PURCHASE AND TO EXECUTE A PURCHASE ORDER FOR ONE 2019 SEMI-TRACTOR TRUCK FOR THE ROAD AND BRIDGE DEPARTMENT

10. Motion to declare one 2007 Ford Expedition SUV as surplus, and authorize the county administrator, or his designee, to donate the vehicle to St. Johns County Council on Aging
11. Motion to declare the attachments as surplus and authorize the county administrator, or his designee, to dispose of same, in accordance with the Purchasing Policy 308 and Florida Statute 274
12. Motion to adopt **Resolution No. 2018-100**, accepting an Easement for Utilities associated with the water and sewer lines serving Grey Hawk Estates, located off County Road 208

RESOLUTION NO. 2018-100

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES ASSOCIATED WITH THE WATER AND SEWER LINES SERVING GREY HAWK ESTATES, LOCATED OFF COUNTY ROAD 208

13. Motion to adopt **Resolution No. 2018-101**, accepting two Grant of Easements for drainage purposes in Treasure Beach Third Addition Subdivision

RESOLUTION NO. 2018-101

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING TWO GRANT OF EASEMENTS FOR DRAINAGE PURPOSES IN TREASURE BEACH THIRD ADDITION SUBDIVISION

14. Motion to adopt **Resolution No. 2018-102**, accepting a Final Release of Lien, Warranty, and Bill of Sale and Schedule of Values, conveying all personal property associated with the waterlines to serve The Fountains of St. Augustine, located off Inman Road

RESOLUTION NO. 2018-102

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A FINAL RELEASE OF LIEN, WARRANTY, AND BILL OF SALE AND SCHEDULE OF VALUES, CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATERLINES TO SERVE THE FOUNTAINS OF ST. AUGUSTINE, LOCATED OFF INMAN ROAD

15. Motion to adopt **Resolution No. 2018-103**, accepting a Final Release of Lien, Warranty, Easement for Access and Utilities, and Bill of Sale and Schedule of Values, conveying all personal property associated with the reuse, water and sewer systems to serve Bannon Lakes, Phase 1B-2, located off International Golf Parkway

RESOLUTION NO. 2018-103

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A FINAL RELEASE OF LIEN, WARRANTY, EASEMENT FOR ACCESS AND UTILITIES, AND BILL OF SALE AND SCHEDULE OF VALUES, CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE REUSE, WATER AND SEWER SYSTEMS TO SERVE BANNON LAKES, PHASE 1B-2, LOCATED OFF INTERNATIONAL GOLF PARKWAY

16. Motion to adopt **Resolution No. 2018-104**, accepting a Final Release of Lien, Warranty, and Bill of Sale and Schedule of Values, conveying all personal property associated with the water and sewer lines serving Ashby Landing North, Phase II, located off Dobbs Road Cutoff

RESOLUTION NO. 2018-104

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A FINAL RELEASE OF LIEN, WARRANTY, AND BILL OF SALE AND SCHEDULE OF VALUES, CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE WATER AND SEWER LINES SERVING ASHBY LANDING NORTH, PHASE II, LOCATED OFF DOBBS ROAD CUTOFF

17. Motion to adopt **Resolution No. 2018-105**, accepting a Special Warranty Deed, Final Release of Lien, Warranty, Easement for Utilities, and Bill of Sale and

Schedule of Values, conveying all personal property associated with the reuse, water and sewer systems to serve Ocean Ridge (f/k/a Ridge at St. Augustine Beach), located off Mickler Boulevard and 11th Street in St. Augustine Beach; and authorizing the county administrator, or designee, to execute a Maintenance and Hold Harmless Agreement on behalf of St. Johns County

RESOLUTION NO. 2018-105

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A SPECIAL WARRANTY DEED, FINAL RELEASE OF LIEN, WARRANTY, EASEMENT FOR UTILITIES, AND BILL OF SALE AND SCHEDULE OF VALUES, CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE REUSE, WATER AND SEWER SYSTEMS TO SERVE OCEAN RIDGE (F/K/A RIDGE AT ST. AUGUSTINE BEACH), LOCATED OFF MICKLER BOULEVARD AND 11TH STREET IN ST. AUGUSTINE BEACH; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE A MAINTENANCE AND HOLD HARMLESS AGREEMENT ON BEHALF OF ST. JOHNS COUNTY

18. Motion to adopt the recommendation by the Tourist Development Council to approve the proposed Arts, Culture and Heritage Funding Program Guidelines attached hereto, with said guidelines being effective for the Fiscal Year 2019 Program
19. Motion to approve updates to the Insurance Committee Bylaws as recommended by the St. Johns County Insurance Committee

(04/03/18 - 7 - 9:52 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Dean requested that the Board consider the addition of the following item: tobacco free presentation. Subsequently, McCormack noted that the tobacco free presentation should be Regular Agenda Item 7.

(9:53 a.m.) Soria stated that the applicant requested to withdrawal the item. He explained that the applicant requested to withdrawal the underlying variance application and to proceed with the development of the house and replacement of the existing stairway to the second story, under current rights. Jane West, Jane West Law, 24 Cathedral Place, Suite 504, representing the applicant, requested a withdrawal of the application. McCormack summarized the withdrawal request. He noted that a formal withdrawal would be as if the application had never existed and further applications would be subject to all County rules and regulations. West confirmed the summary of the request. Johns addressed concerns with reapplication time limitations. Soria noted that if approved, the one-year time limitation would not apply. Johns asked the applicant to consider a one-year time limitation on resubmitting an application. McCormack stated that as a condition for the Board to accept the withdrawal, the Board would require a one-year time period between any reapplication for any same variance. West approved the condition.

(9:59 a.m.) **Motion by Morris, seconded by Waldron, carried 5/0, to accept the applicant's request to withdrawal the underlying variance of Regular Agenda Item 4, which renders the appeal mute, subject to the condition of a one-year limitation between any reapplication for any same variance.**

(04/03/18 - 8 - 10:00 a.m.)
APPROVAL OF REGULAR AGENDA

Motion by Waldron, seconded by Johns, carried 5/0, to approve the Regular Agenda, as amended.

(10:00 a.m.) The meeting moved to Regular Agenda Item 7. Rebecca Lavie, Assistant County Attorney, entered the meeting.

(04/03/18 - 8 - 10:22 a.m.)

1. 2018 ROADWAY AND TRANSPORTATION ALTERNATIVES LIST OF PRIORITY PROJECTS (LOPP). THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND THE NORTH FLORIDA TRANSPORTATION PLANNING ORGANIZATION (TPO) REQUEST FROM LOCAL GOVERNMENTS THEIR PROJECT PRIORITIES FOR POTENTIAL FUNDING OF NEW TRANSPORTATION PROJECTS TO BE CONSIDERED FOR INCLUSION IN THE NEW FISCAL YEAR (FY 2023/24) OF FDOT'S WORK PROGRAM. THIS IS AN ANNUAL RECURRING REQUEST TO LOCAL GOVERNMENTS. THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS IS CHARGED WITH PRIORITIZING ALL PROJECTS WITHIN THE COUNTY, INCLUDING THOSE WITHIN MUNICIPAL BOUNDARIES. THE TRANSPORTATION ADVISORY GROUP (TAG), CONSISTING OF COUNTY STAFF, REPRESENTATIVES OF THE CITY OF ST. AUGUSTINE, ST. AUGUSTINE BEACH, ST. JOHNS COUNTY SCHOOL BOARD, ST. JOHNS COUNTY SHERIFF'S OFFICE, AND THE ST. AUGUSTINE-ST. JOHNS COUNTY AIRPORT AUTHORITY MET ON FEBRUARY 27, 2018, TO REVIEW LAST YEAR'S PRIORITIES AND TO RECOMMEND THIS YEAR'S PRIORITIES. THE ATTACHED LOPP INCLUDES RECOMMENDATIONS OF THE TAG FOR BOTH HIGHWAY AND ALTERNATIVES PROJECTS

Phong Nguyen, Transportation Development Manager, presented details of the 2018 Roadway and Transportation Alternatives List of Priority Projects (LOPP), via PowerPoint. He noted a letter of recommendation in support of the proposed list of priority projects from the City of St. Augustine.

(10:34 a.m.) Ed Slavin, P.O. Box 3084, spoke on increasing public transportation, money for trails and sidewalks to schools, having a balanced composition of the TAG, and in opposition to State Road (SR) 313.

(10:37 a.m.) Douglas Worth, 108 Sea Island Lake Court, spoke on the composition of the TAG, and in support of the 2018 LOPP.

(10:39 a.m.) Lance Williams, 273 Pinehurst Pointe Drive, spoke on the traffic concerns regarding Exit 323 at International Golf Parkway and I-95, and I-95 noise abatement. He also requested a copy of the 2018 Regional and Local Priority Roadway Projects summary statements.

(10:41 a.m.) Bill McClure, 132 Hidden Palms Lane, spoke on the Ponte Vedra and North A1A Trails; signalization between Library and Solana Roads; SR 313; the First Coast Expressway; and the need for a North-South corridor between Nocatee to San Pablo or J Turner Butler Boulevard.

(10:44 a.m.) **Motion by Johns, seconded by Smith, carried 5/0, to approve the 2018 St. Johns County Roadway and Transportation Alternatives List of Priority Projects for**

transmittal to the Florida Department of Transportation and the North Florida Transportation Planning Organization.

(04/03/18 - 9 - 10:44 a.m.)

2. PUBLIC HEARING, PUBLIC HEARING-SECOND READING OF UPDATED COUNTY IMPACT FEES. UPDATED IMPACT FEE STUDY - SECOND READING AND FINAL ADOPTION. THIS IS A PUBLIC HEARING TO ADOPT AN UPDATED IMPACT FEES SCHEDULE (INCLUDING PUBLIC EDUCATION). THE PROPOSED ORDINANCE IS BASED UPON A TECHNICAL MEMORANDUM PREPARED BY JAMES C. NICHOLAS, PH.D DATED MARCH 8, 2018, FOR THE COUNTY, REFLECTING THE MOST CURRENT DATA AND ASSESSMENT REGARDING IMPACT FEES IN THE CATEGORIES OF ROADS, PUBLIC BUILDINGS, LAW ENFORCEMENT, FIRE AND RESCUE, AND PARKS AND RECREATION. A SECOND MEMORANDUM IS PREPARED FOR THE ST. JOHNS COUNTY SCHOOL DISTRICT, WHICH ADDRESSES SCHOOL IMPACT FEES, DATED FEBRUARY 22, 2018. ON FEBRUARY 20, 2018, THE BOARD HELD THE FIRST READING AND THE SECOND READING WAS CONSIDERED ON MARCH 6, 2018, AND CONTINUED TO APRIL 3, 2018, FOR FINAL DRAFTING CHANGES. THE ORDINANCE REFLECTS A TWO PHASED APPLICATION OF UPDATED FEES AS DIRECTED BY THE BOARD

Proof of publication of the notice of public hearing on the second reading of the updated county impact fees, was received, having been published in *The St. Augustine Record* on March 24, 2018.

Suzanne Konchan, Director of Growth Management, presented details of the proposed ordinance, via PowerPoint. She noted a revised Exhibit A-2 to the ordinance, *Exhibit A*; and that staff would be presenting two related items, per Board direction, on May 1, 2018: 1) changes to the Comprehensive Plan and Land Development Code to exempt non-residential development from transportation concurrency, and 2) the possibility of implementing a Housing Linkage fee to address affordable/workforce housing needs. She also noted that the School Board recommended adoption of the revised school impact fee schedule, based on the seven-tier square footage structure, at the full amounts supported by the study; that the only new change was that the phase two fees would be subject to indexing and adjustment, based upon the Construction Cost Index, occurring January 1, 2019, not October 1, 2018; and that correspondence was received and reviewed by staff regarding the buy-down of non-residential impact fees and the technical memorandum's use of training costs in the law enforcement category. Discussion ensued on correspondence received from Attorney Albert Franson.

(10:54 a.m.) Soria referenced the red lined ordinance, *Exhibit B*, and reviewed the proposed changes to the ordinance recitals. He stated that the changes to the recitals identified the ability for the County to buy-down non-residential impact fees.

(10:56 a.m.) Ed Slavin, P.O. Box 3084, spoke on the half-cent sales tax increase that was passed in 2015.

(10:59 a.m.) Attorney Albert Franson, 1400 Prudential Drive, Suite 5, Jacksonville, Florida, spoke in opposition to the use of training costs in the law enforcement category. He suggested a modification to the ordinance.

(11:01 a.m.) Jessie Spradley, Government Affairs Director for the Northeast Florida Builders Association, 103 Century 21 Drive, Jacksonville, Florida, spoke in support of phasing in the new impact fees and removing residential development from transportation concurrency.

(11:03 a.m.) BJ Kalaidi, 8 Newcomb Street, spoke in opposition to the 40 percent reduction to non-residential impact fees.

(11:04 a.m.) Waldron and Morris spoke in opposition of phasing in the new impact fees. Waldron recommended approval, excluding the phasing component. Johns and Smith spoke in favor of the proposed motion with the phasing component. Discussion ensued on the impact fee phase-in, with additional comments by Soria and McCormack.

(11:11 p.m.) **Motion by Smith, seconded by Johns, carried 4/1, with Waldron dissenting, to enact Ordinance 2018-16, amending the Consolidated Impact Fee Ordinances of the St. Johns County Land Development Code consolidated by Ordinance 2005-27, as amended; adopting updated impact fees in the categories of roads, public buildings, law enforcement, fire and rescue, parks and recreation, and schools, based on the most recent and localized data; and to include the proposed changes of the economic development language described by counsel and the revised Exhibit A-2.**

ORDINANCE NO. 2018-16

AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AMENDING AND SUPPLEMENTING THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE, AS ADOPTED BY ORDINANCE 99-51, AS PREVIOUSLY AMENDED; SPECIFICALLY, THIS ORDINANCE AMENDS THE CONSOLIDATED IMPACT FEE ORDINANCES OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE, AS CONSOLIDATED BY ORDINANCE 2005-27, AS AMENDED; MAKING CHANGES APPLICABLE TO ALL IMPACT FEES AS CONSOLIDATED, INCLUDING AND RELATING TO: PROVIDING SUPPLEMENTAL AND ADDITIONAL FINDINGS AND DECLARATIONS OF THE BOARD OF COUNTY COMMISSIONERS; MODIFYING OR INCREASING THE AMOUNTS PAYABLE PURSUANT TO THE IMPACT FEE SCHEDULE; PROVIDING TWO INITIAL PHASES FOR MODIFICATION OR INCREASE IN THE IMPACT FEE; PROVIDING FOR AUTOMATIC UPDATING OF FEES BASED ON INDEXING; PROVIDING FOR REVIEW AND UPDATING OF IMPACT FEES BY THE BOARD OF COUNTY COMMISSIONERS EVERY FIVE YEARS; AMENDING AND READOPTING THE IMPACT FEES GENERAL ADMINISTRATIVE GUIDELINES AND PROCEDURES MANUAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

(04/03/18 - 11 - 11:12 a.m.)

3. PUBLIC HEARING, REZ 2017-18 HARDEE'S, STATE ROAD (SR) 16 AND GREEN ACRES ROAD. REQUEST TO REZONE APPROXIMATELY 1.1 ACRES OF LAND FROM OPEN RURAL (OR) TO COMMERCIAL GENERAL (CG) TO ALLOW FOR THE INTENDED HARDEE'S RESTAURANT, LOCATED SOUTH OF STATE ROAD 16 AND EAST OF GREEN ACRES ROAD. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THE REZONING ON FEBRUARY 15, 2018, WITH A 6-0 VOTE

Proof of publication of the notice of public hearing on REZ-2017000018, Hardee's, was received, having been published in *The St. Augustine Record* on February 1, 2018.

Casey Keough, Planner, presented details of the rezoning request, via PowerPoint.

(11:15 a.m.) **Motion by Smith, seconded by Waldron, carried 5/0, to enact Ordinance 2018-17, REZ 2017-18, Hardee's, SR 16 and Green Acres, adopting Findings of Fact 1-4 to support the motion.**

ORDINANCE NO. 2018-17

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS, AS DESCRIBED HEREINAFTER, FROM THE PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) TO COMMERCIAL GENERAL (CG); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(Regular Agenda Item 4 was withdrawn.)

(04/03/18 - 11 - 9:53 a.m.)

4. PUBLIC HEARING, PLNAPPL 2018-02, CONSOLI RESIDENCE (APPEAL TO PLANNING AND ZONING AGENCY APPROVAL OF ZVAR 2017-21)

Proof of publication of the notice of public hearing on PLNAPPL 2018-02, Consoli Residence, ZVAR 2017-21, was received, having been published in *The St. Augustine Record* on March 19, 2018.

Discussion and approval of the motion occurred under Additions and Deletions to the Regular Agenda.

(04/03/18 - 11 - 11:16 a.m.)

5. PUBLIC HEARING, LAND DEVELOPMENT CODE (LDC) AMENDMENTS - ARTICLES III, VII, AND X, OVERLAYS, SIGNS, AND VARIANCES. THE PROPOSED AMENDMENTS TO ARTICLES III, VII, AND X WOULD AMEND SPECIFIC DESIGN GUIDELINES OVERLAY DISTRICTS, CLARIFY SIGN CODE STANDARDS, AND REVISE PROCEDURAL STANDARDS FOR RELIEF FROM OVERLAY DISTRICT SIGNAGE STANDARDS AND PLANNED UNIT DEVELOPMENT'S (PUD). THIS IS THE FIRST READING OF A THREE-PART HEARING SERIES. A SECOND HEARING BEFORE THE BCC IS REQUIRED, AT A TIME AFTER 5:00 P.M., ON A WEEKDAY, UNLESS A MAJORITY PLUS ONE OF THE BOARD VOTES TO HOLD AT ANOTHER TIME

Proof of publication of the notice of public hearing on LDC Amendments, Articles III, VII, and X, overlays, signs, and variances, was received, having been published in *The St. Augustine Record* on March 23, 2018.

Paola Soria, Senior Assistant County Attorney, presented details of the proposed amendments to the LDC, via PowerPoint.

(11:25 a.m.) Discussion ensued on gas station canopy height, with additional comments by Joseph Cearley, Special Projects Manager for Growth Management. *There was Board consensus to direct staff to identify the maximum vertical clearance and height of the structure. Consensus was given.*

(11:29 a.m.) Ed Slavin, P.O. Box 3084, spoke on the length of time to comply with the U.S. Supreme Court case Reed versus Town of Gilbert.

(11:32 a.m.) **Motion by Morris, seconded by Waldron, carried 5/0, to announce a public hearing for the Planning and Zoning Agency on May 03, 2018, and before the Board of County Commissioners on June 05, 2018, at 9:00 a.m.**

(04/03/18 - 12 - 11:32 a.m.)

6. CONSIDER APPOINTMENTS TO THE RECREATION ADVISORY BOARD. CURRENTLY THERE ARE THREE VACANCIES ON THE RECREATION ADVISORY BOARD. ONE IS DUE TO AN EXPIRED TERM AND TWO ARE DUE TO RESIGNATIONS. PLEASE FIND FOR YOUR REVIEW AND CONSIDERATION A LETTER OF RECOMMENDATION FROM THE RECREATION ADVISORY BOARD AND FOUR APPLICATIONS (WADE TAYLOR - DISTRICT 3, CASEY VAN RYSDAM - DISTRICT 5, JILIAN MCNIFF-VILLEMAIRE - DISTRICT 3, AND JOHN BERT WATSON - DISTRICT 1)

Melissa Lundquist, Assistant to the Board of County Commissioners, presented details of the vacancies.

(11:34 a.m.) Discussion ensued on Wade Taylor's application.

(11:35 a.m.) **Motion by Waldron, seconded by Morris, carried 5/0, to appoint Jillian McNiff Villemaire to the Recreation Advisory Board for a partial term, scheduled to expire on November 15, 2020.**

(11:35 a.m.) **Motion by Waldron, seconded by Morris, carried 5/0, to appoint John "Bert" Watson to the Recreation Advisory Board for a partial term, scheduled to expire on November 15, 2020.**

(11:35 a.m.) **Motion by Waldron, seconded by Morris, carried 5/0, to (re)appoint Casey VanRysdam to the Recreation Advisory Board for a four-year term, scheduled to expire on November 15, 2021.**

(11:36 a.m.) The Board moved to Commissioners' Reports.

(04/03/18 - 12 - 10:01 a.m.)

7. TOBACCO FREE PRESENTATION

Mary Ann Steinberg, Program Manager, Tobacco Free St. Johns, spoke on the youth advocacy group called Students Working Against Tobacco (SWAT); stated the purpose of the presentation was to educate how a local tobacco retail license and increasing the tobacco age of sales could protect and prevent St. Johns County's youth from beginning a lifetime of addiction; explained Tobacco 21 and local retail licensing, via PowerPoint; and introduced the following presenters: Seth Hoffman, Sebastian Middle School SWAT; Li Fitzgerald, Sebastian Middle School SWAT; and Kamrin Bunn, Flagler College.

(10:03 a.m.) The participants presented information regarding youth tobacco use, nicotine addiction, the merits of implementing a local tobacco retail license, and the benefits of raising the tobacco sales age, via PowerPoint. The presenters requested that the Board enact an ordinance that established a local tobacco retail license and raised the tobacco sales age to 21 in St. Johns County. Bunn noted that case studies regarding Tobacco Retail Licensing (TRL) implementation, administration, enforcement; and model policy language to raise the tobacco sales age to 21 and implement tobacco retail licensing to enforce the tobacco prevention policy were included in the backup material, *Exhibit A*.

(10:13 a.m.) ED Slavin, P.O. Box 3084, spoke in support to the ordinance request.

(10:16 a.m.) BJ Kalaidi, 8 Newcomb Street, spoke in opposition to the ordinance request; and on concerns with the Board allowing items to be heard that were added to the agenda before advertised agenda items.

(10:19 a.m.) McCormack stated he reviewed the request and advised the Board not to adopt an ordinance pertaining to raising the tobacco sales age to 21. He noted that the Constitutional Revision Committee was considering an amendment regarding vaping. He also noted that he would research pros and cons of the licensing provision to form a recommendation to the Board.

(10:22 a.m.) The Board moved to Regular Agenda Item 1. Lavie left the meeting.

(04/03/18 - 13 - 11:36 a.m.)
COMMISSIONERS' REPORTS

Commissioner Johns

Johns noted the status update received, by the commissioners, regarding the potential donation of a portion of the Shands Bridge to St. Johns County. Waldron mentioned that the Florida Department of Transportation (FDOT) would possibly fund a parking area and pier rails. Smith asked if Clay County was offered a portion of the bridge; Wanchick responded yes; however, a decision had not been made. The Board requested the following data: ancillary costs for restroom facilities, lightning, and utilities; the Vilano Beach pier rehabilitation costs and infrastructural and maintenance costs; FDOT cost savings for non-removal of the bridge; and the expected condition of the bridge at the time of the potential donation. Wanchick stated that the data would be collected and brought back to the Board.

(11:42 a.m.) *Johns requested Board Consensus to direct staff to pursue answers, raised by the Board, in today's discussion, regarding the Shands Bridge proposed donation offer from the Florida Department of Transportation (FDOT). Consensus was given.*

(11:44 a.m.) Discussion ensued on limitations of terms of service with additional comments by McCormack. Johns requested that the County Attorney's office pursue information on limitations of terms of service in non-chartered counties.

Commissioner Waldron

(11:47 a.m.) Waldron asked if the beaches, including access ramps, would be open by May 1, 2018. Wanchick stated that Parks and Recreation would present a beach update at a future meeting. Waldron commented on lobbyist registration.

Commissioner Morris

No report.

Commissioner Dean

No report.

Commissioner Smith

No report.

(04/03/18 - 14 - 11:48 a.m.)
COUNTY ADMINISTRATOR'S REPORT

*Wanchick requested Board consensus to cancel the July 3, 2018, BCC meeting. **Consensus was given.***

(04/03/18 - 14 - 11:49 a.m.)
COUNTY ATTORNEY'S REPORT

No report.

(04/03/18 - 14 - 11:49 a.m.)
CLERK OF COURT'S REPORT

No report.

(04/03/18 - 14 - 11:49 a.m.)
ADJOURN

With there being no further business to come before the Board, Dean adjourned the meeting at 11:49 a.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 555713-555966, totaling \$1,682,410.92 and Voucher Register, Voucher Nos. 35518-35646, totaling \$3,965,394.42 (3/27/18)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 555967-555976, totaling \$3,958.54 and Voucher Register, Voucher Nos. 35647-35649, totaling \$755.11 (3/28/18)
3. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 35650-35651, totaling \$8,488.34 (3/28/18)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 555977-555991, totaling \$240,212.21 (3/28/18)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 555992-556101, totaling \$575,157.18 and Voucher Register, Voucher Nos. 35652-35703, totaling \$1,094,267.16 (4/3/18)

CORRESPONDENCE:

There were none.

Approved _____ May 2 _____, 2018

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
Henry Dean, Chair

ATTEST: HUNTER S. CONRAD, CLERK

By: _____
Deputy Clerk